

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OMB-01

/060 W

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R 031805Z NOV 75

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 6129

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LUXEMBOURG

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AMCONSUL BELFAST

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E.O. 11652: N/A

TAGS: PGOV, PINT, PDEV, UK

SUBJECT: CONSTITUTIONAL CRISIS: LITTLE EVIDENCE OF COM-  
PROMISE

REF: LONDON 16143

SUMMARY - WITH PARLIAMENT DUE TO BE PROROGUED NOVEMBER 12,  
THERE ARE FEW SIGNS THAT CONSTITUTIONAL CONFRONTATION BE-  
TWEEN TWO HOUQUES OF PARLIAMENT OVER "PRESS FREEDOM" IS-  
SUE CAN BE AVMIDED (REFTEL). LORDS HAS ALSO AMENDED OR  
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IS DELAYING TUO OTHER GOVERNMENT BILLS, INCITING FURTHER

THOSE MPS WHO FAVOR REFORM OF UPPER HOUSE. OUR SOURCES REPORT THAT GOVERNMENT EXPECTS LORDS WILL DRAW BACK FROM CONFRONTATION ON THESE TWO BILLS, BUT ARE BEARISH ON PROSPECTS FOR COMPROMISE ON PRESS FREEDOM ISSUE. MOREOVER, LAST MINUTE ACCOMMODATION ON PRESS QUESTION, IF IT COMES, MAY BE TOO LATE TO REDUCE PRESSURES BUILDING UP IN COMMONS FOR SUBSTANTIAL REFORM OF LORDS. END SUMMARY.

1. PARLIAMENT IS DUE TO END NOVEMBER 12, SIX DAYS BEFORE COMMENCEMENT OF NEXT PARLIAMENT, WITH SEVERAL IMPORTANT PIECES OF LEGISLATION STILL AWAITING FINAL ACTION. MOST CRITICAL IS TRADE UNION AND INDUSTRIAL RELATIONS BILL WHICH REMAINS FOCUS OF SERIOUS DISACCORD BETWEEN TWO HOUSES OF PARLIAMENT (REFTEL). PRESS REPORTS THAT CABINET IS RECONCILED TO IDEA THAT LORDS WILL AGAIN REJECT GOVERNMENT'S "PRESS FREEDOM" AMENDMENT TO BILL, PREFERRING ALTERNATIVE FORMULATION WHICH WOULD GIVE VOLUNTARY PRESS "CHARTER" PROPOSED BY GOVERNMENT LEGAL FORCE. WHILE LORDS HAS SHOWN SOME FLEXIBILITY -- IT HAD ORIGINALLY SOUGHT TO EXCLUDE PRESS FROM CLOSED SHOP PROVISIONS OF BILL -- GOVERNMENT AND TUC ARE STRONGLY OPPOSED TO ANY MEASURE WHICH WOULD PERMIT COURTS TO INTERVENE DIRECTLY IN INDUSTRIAL DISPUTES.

2. WE UNDERSTAND GOVERNMENT IS STILL TRYING TO PERSUADE PEERS, ESPECIALLY CROSSBENCHERS (INDEPENDENTS), TO ACCEPT ITS VOLUNTARY PRESS CHARTER PROPOSAL, THEREBY AVOIDING DEADLOCK, BUT THERE IS LITTLE OPTIMISM THAT CONFRONTATION CAN BE AVOIDED. NOVEMBER 1 GUARDIAN REPORTED THAT SHOULD LORDS AGAIN REJECT GOVERNMENT'S POSITION, GOVERNMENT WILL INVOKE PARLIAMENT ACT THEREBY ENABLING COMMONS TO APPROVE ORIGINAL VERSION OF BILL IN NEXT SESSION WITHOUT REFERENCE TO LORDS. WHILE WE HAVE NO INSIDE INFORMATION AS TO GOVERNMENT'S DECISION, IT IS CLEAR THAT FAILURE TO INVOKE PARLIAMENT ACT WOULD ALMOST CERTAINLY TRIGGER REBELLION IN PARLIAMENTARY LABOR PARTY (PLP). COMMONS IS SCHEDULED TO CONSIDER TRADE UNION BILL AGAIN NOVEMBER 6 AND GOVERNMENT AT THAT TIME WOULD INVOKE PARLIAMENT ACT IF COMPROMISE IS NOT REACHED.

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3. HOUSE OF LORDS, IN WHAT COULD PROVE TO BE ITS FINAL  
MOMENT OF LEGISLATIVE RELEVANCE, HAS ALSO BEEN ASSERTING  
ITS INDEPENDENCE ON OTHER GOVERNMENT LEGISLATION. LAST  
WEEK LORDS APPROVED A NUMBER OF AMENDMENTS TO PETROLEUM  
AND SUBMARINE PIPELINES (PSP) BILL AND IS EXPECTED TO  
FOLLOW SUIT OF COMMUNITY LAND BILL LATER THIS WEEK. COM-  
MONS WILL RECONSIDER AMENDED PSP BILL THIS WEEK AND LAND  
BILL NEXT WEEK, WITH GOVERNMENT SEEKING TO UNDO WORK OF  
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LORDS. WE UNDERSTAND FROM PLP SOURCES THAT LORDS IS NOT

EXPECTED TO GM TO MAT ON THESE TWO BILLS. NEVERTHELESS, UPPER HOUSE'S ACTIONS HAVE PROVIDED MORE STEAM TO PUSH FOR FAR-REACHING REFORM OF UPPER HOUSE.

4. ALTHOUGH THERE ARE FEW VISIBLE SIGNS OF COMPROMISE ON PRESS FREEDOM ISSUE, WE BELIEVE THERE IS STILL OUTSIDE CHANCE CONFRONTATION CAN BE AVOIDED. COMPROMISE NOW, HOWEVER, MIGHT COME TOO LATE TO SAVE UPPER HOUSE IN ITS PRESENT FORM. PREVAILING SENTIMENT IN PLP CLEARLY FAVORS CHANGE AND IS BUTTRESSED BY PREAMBLE TO 1911 PARLIAMENT ACT WHICH STATES, INTER ALIA: "IT IS INTENDED TO SUBSTITUTE FOR THE HOUSE OF LORDS AS IT PRESENTLY EXISTS A SECOND CHAMBER CONSTITUTED ON A POPULAR INSTEAD OF HEREDITARY BASIS, BUT SUCH SUBSTITUTION CANNOT BE IMMEDIATELY BROUGHT INTO OPERATION." THIS PARTICULAR COMMITMENT MAY HAVE 65 YEAR GESTATION PERIOD.

RICHARDSON

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## Message Attributes

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